

Sixty-eighth  
Legislative Assembly  
of North Dakota

## ENGROSSED SENATE BILL NO. 2016

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the office of the  
2 adjutant general; to provide an exemption; to provide a statement of legislative intent; to provide  
3 for a transfer; and to declare an emergency.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds  
6 as may be necessary, are appropriated out of any moneys in the general fund in the state  
7 treasury, not otherwise appropriated, and from special funds derived from federal funds and  
8 other income, to the office of the adjutant general for the purpose of defraying the expenses of  
9 the office of the adjutant general, for the biennium beginning July 1, 2023, and ending June 30,  
10 2025, as follows:

11 Subdivision 1.

12 NATIONAL GUARD

		Adjustments or		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>	
13				
14				
15	Salaries and wages	\$7,150,489	\$757,309	\$7,907,798
16	Operating expenses	3,048,313	251,148	3,299,461
17	Capital assets	224,046	19,500,000	19,724,046
18	Grants	210,916	374,776	585,692
19	Civil air patrol	309,125	78,030	387,155
20	Tuition, recruiting, and retention	3,042,235	320,000	3,362,235
21	Air guard contract	8,490,161	531,148	9,021,309
22	Army guard contract	48,203,473	2,971,364	51,174,837
23	Veterans' cemetery	1,325,998	69,290	1,395,288
24	Reintegration program	<u>925,524</u>	<u>(14,129)</u>	<u>911,395</u>

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1	Total all funds	\$72,930,280	\$24,838,936	\$97,769,216
2	Less estimated income	<u>56,326,564</u>	<u>21,716,184</u>	<u>78,042,748</u>
3	Total general fund	\$16,603,716	\$3,122,752	\$19,726,468
4	Subdivision 2.			

DEPARTMENT OF EMERGENCY SERVICES

6			Adjustments or	
7		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
8	Salaries and wages	\$12,232,240	\$2,662,351	\$14,894,591
9	Operating expenses	6,502,334	1,313,233	7,815,567
10	Capital assets	660,000	300,000	960,000
11	Grants	14,550,000	13,868,000	28,418,000
12	Disaster costs	<u>51,485,736</u>	<u>165,448,359</u>	<u>216,934,095</u>
13	Total all funds	\$85,430,310	\$183,591,943	\$269,022,253
14	Less estimated income	<u>79,151,794</u>	<u>180,105,176</u>	<u>259,256,970</u>
15	Total general fund	\$6,278,516	\$3,486,767	\$9,765,283
16	Subdivision 3.			

SECTION 1 TOTAL

18			Adjustments or	
19		<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
20	Grand total general fund	\$22,882,232	\$6,609,519	\$29,491,751
21	Grand total special funds	<u>135,478,358</u>	<u>201,821,360</u>	<u>337,299,718</u>
22	Grand total all funds	\$158,360,590	\$208,430,879	\$366,791,469
23	Full-time equivalent positions	222.00	11.00	233.00

**SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO THE**

**SIXTY-NINTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding items approved by the sixty-seventh legislative assembly for the 2021-23 biennium and the 2023-25 biennium one-time funding items included in the appropriation in section 1 of this Act:

28	<u>One-Time Funding Description</u>	<u>2021-23</u>	<u>2023-25</u>
29	Emergency response equipment and supplies	\$100,000	\$660,000
30	Dickinson readiness center project	15,500,000	8,900,000
31	Military museum	10,000,000	0

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1	Fraine Barracks automation system	320,000	0
2	Fargo readiness center equipment	100,000	0
3	Bridge training site	6,000,000	0
4	Camp Grafton expansion	3,500,000	0
5	Disaster response	887,873	0
6	Payroll expenses	1,000,000	0
7	State active-duty software	450,000	0
8	Camp Grafton housing	2,000,000	0
9	Deferred maintenance	1,000,000	0
10	Retirement payouts	0	275,000
11	Statewide interoperable radio network equipment	0	2,700,000
12	Camp Grafton billets	0	5,300,000
13	Minot airport hangar	0	60,000
14	State radio consoles	0	300,000
15	Williston readiness center project	0	2,600,000
16	Safeguarding Tomorrow through Ongoing Risk Mitigation Act	0	1,000,000
17	Disaster grants	<u>0</u>	<u>142,652,500</u>
18	Total all funds	\$40,857,873	\$164,447,500
19	Total other funds	<u>38,877,873</u>	<u>163,987,500</u>
20	Total general fund	\$1,980,000	\$460,000

21       The 2023-25 biennium one-time funding amounts are not a part of the entity's base budget  
 22 for the 2025-27 biennium. The adjutant general shall report to the appropriations committees of  
 23 the sixty-ninth legislative assembly on the use of this one-time funding for the biennium  
 24 beginning July 1, 2023, and ending June 30, 2025.

25       **SECTION 3. VETERANS' CEMETERY MAINTENANCE FUND - APPROPRIATION.** In  
 26 addition to the amount appropriated to the adjutant general in the veterans' cemetery line item  
 27 in subdivision 1 of section 1 of this Act, there is appropriated any additional funds that are  
 28 received and deposited in the veterans' cemetery maintenance fund pursuant to sections  
 29 37-03-14 and 39-04-10 for the operation of the North Dakota veterans' cemetery for the  
 30 biennium beginning July 1, 2023, and ending June 30, 2025.

1       **SECTION 4. 2021-23 BIENNIUM APPROPRIATION - TRANSFER - VETERANS'**

2       **CEMETERY TRUST FUND.** There is appropriated out of any moneys in the general fund in the  
3 state treasury, not otherwise appropriated, the sum of \$26,656, which the office of management  
4 and budget shall transfer to the veterans' cemetery trust fund for the payment of adjusted  
5 compensation to veterans in accordance with provisions of section 12 of chapter 41 of the 2019  
6 Session Laws, during the period beginning with the effective date of this Act, and ending  
7 June 30, 2023.

8       **SECTION 5. ESTIMATED INCOME - FEDERAL STATE FISCAL RECOVERY FUND -**

9       **ADJUTANT GENERAL.** The estimated income line item in subdivision 1 of section 1 of this Act  
10 includes \$16,800,000 from the federal state fiscal recovery fund, of which \$5,300,000 is for the  
11 construction of billets at Camp Grafton, \$8,900,000 is for the completion of the Dickinson  
12 readiness center, and \$2,600,000 is for the design and engineering of the Williston readiness  
13 center.

14       **SECTION 6. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS**

15       **FUND - ADJUTANT GENERAL.** The estimated income line item in subdivision 1 of section 1 of  
16 this Act includes \$2,700,000 from the strategic investment and improvements fund for statewide  
17 interoperable radio network equipment.

18       **SECTION 7. CYBERSECURITY GRANT PROGRAM.** The adjutant general may spend up  
19 to \$628,000 from the general fund in the grants line item in subdivision 2 of section 1 of this Act  
20 providing grants to political subdivisions for all or a portion of the required ten percent local  
21 match for cybersecurity enforcement.

22       **SECTION 8. EXEMPTION - MAINTENANCE AND REPAIRS - TRANSFERS.**

23 Notwithstanding section 54-16-04, the director of the office of management and budget shall  
24 transfer up to \$500,000 of appropriation authority to the operating expenses and capital assets  
25 line items contained in section 1 of this Act, as requested by the adjutant general to provide for  
26 the maintenance and repair of state-owned armories in this state during the biennium beginning  
27 July 1, 2023, and ending June 30, 2025. The adjutant general shall notify the legislative council  
28 of any transfers made pursuant to this section.

29       **SECTION 9. EXEMPTION - UNEXPENDED APPROPRIATIONS.** The following  
30 appropriations are not subject to the provisions of section 54-44.1-11 and may be continued into  
31 the biennium beginning July 1, 2023, and ending June 30, 2025:

- 1        1.    The sum of \$450,000 appropriated from the strategic investment and improvements  
2                fund for computer-aided dispatch equipment in section 12 of chapter 16 of the 2021  
3                Session Laws;
- 4        2.    The sum of \$3,042,235 appropriated from the general fund for tuition assistance,  
5                recruiting and retention incentives to eligible current and former members of the North  
6                Dakota national guard in subdivision 1 of section 1 of chapter 16 of the 2021 Session  
7                Laws;
- 8        3.    The sum of \$80,000 appropriated from the general fund and \$240,000 of federal funds  
9                for the Fraire Barracks automation system in subdivision 1 of section 1 of chapter 16  
10               of the 2021 Session Laws;
- 11       4.    The sum of \$15,500,000 appropriated from federal funds for the construction of the  
12               Dickinson readiness center in subdivision 1 of section 1 of chapter 16 of the 2021  
13               Session Laws;
- 14       5.    The sum of \$6,000,000 appropriated from federal funds for the line of communication  
15               bridge training site in subdivision 1 of section 1 of chapter 16 of the 2021 Session  
16               Laws;
- 17       6.    Any amounts remaining from the national guard training area and facility development  
18               trust fund and the strategic investment and improvements fund for the expansion of  
19               Camp Grafton in section 3 and section 14 of chapter 16 of the 2021 Session Laws;
- 20       7.    Any amounts remaining for the purpose of defraying COVID-19 and other expenses in  
21               subdivision 7 of section 1 of chapter 27 and subdivision 7 of section 2 of chapter 28 of  
22               the 2021 Session Laws;
- 23       8.    Any amounts remaining from the federal state fiscal recovery fund for replacing the  
24               state active duty software and maintenance in subsection 24 of section 1 of  
25               chapter 550 of the 2021 Special Session Session Laws; and
- 26       9.    Any amounts remaining from the federal state fiscal recovery fund for enhancing  
27               housing at Camp Grafton in subsection 31 of section 1 of chapter 550 of the 2021  
28               Special Session Session Laws.

29        **SECTION 10. CAMP GRAFTON - LEGISLATIVE INTENT.** It is the intent of the sixty-eighth  
30        legislative assembly that:

1           1.    The adjutant general contract for the purchase or long-term lease of land for the Camp  
2                    Grafton expansion, including the purchase of no more than one thousand six hundred  
3                    acres and the long-term lease of the remainder, not to exceed six thousand acres in  
4                    total.

5           2.    The adjutant general not use eminent domain for the expansion of Camp Grafton.

6           **SECTION 11. GIFTS, DONATIONS, AND BEQUESTS - NORTH DAKOTA MILITARY**

7   **MUSEUM.** The adjutant general may accept gifts, grants, and donations, including those from  
8 private and federal sources, and deposit the funds in the state treasury for the construction of a  
9 North Dakota military museum during the biennium beginning July 1, 2023, and ending June 30,  
10 2025.

11           **SECTION 12. EMERGENCY.** The sum of \$628,000 in the grants line item of subdivision 2  
12 of section 1 of this Act and sections 4 and 7 of this Act are declared to be an emergency  
13 measure.